

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

Yvonne Burnette,

Plaintiff,

Case No. 23-cv-12265

v.

Judith E. Levy
United States District Judge

Caine & Weiner,

Defendant.

Mag. Judge Elizabeth A.
Stafford

_____/

**ORDER DIRECTING PLAINTIFF TO SUBMIT A REVISED
APPLICATION TO PROCEED WITHOUT
PREPAYING FEES AND COSTS**

On September 1, 2023, Plaintiff Yvonne Burnette filed a *pro se* complaint in which she alleges violations of the Fair Debt Collection Practices Act. (ECF No. 1.) That same day, Plaintiff filed an application to proceed *in forma pauperis*, which is a request to proceed without prepaying the fees and costs for this litigation. (ECF No. 2). On September 5, 2023, Plaintiff filed an amended complaint (ECF No. 4) and an amended application to proceed *in forma pauperis*. (ECF No. 5.)

Federal courts “may authorize the commencement . . . of any suit, action or proceeding . . . without prepayment of fees . . . by a person who

submits an affidavit that includes a statement . . . that the person is unable to pay such fees.” 28 U.S.C. § 1915(a)(1). Inadequate completion of an application to proceed *in forma pauperis* is grounds for denial of that application in the Eastern District of Michigan. *See Shaw v. Oakland Cnty. Friend of the Ct.*, No. 20-12492, 2020 WL 7024912, at *3 (E.D. Mich. Nov. 30, 2020).

Here, Plaintiff’s amended application to proceed *in forma pauperis* is incomplete. Plaintiff does not specify a pay period for her gross pay or wages of \$760.00 and her take-home pay or wages of \$689.00. (ECF No. 5, PageID.17.) In addition, Plaintiff does not list her employer’s name and address. (*Id.*) Plaintiff also does not specify the amount of money she has in cash or in a checking or savings account. (*Id.* at PageID.18.) Without this information, the Court cannot determine whether Plaintiff is unable to pay the applicable fees.

Accordingly, Plaintiff must submit a completed Application to Proceed in District Court Without Prepaying Fees or Costs by **Friday, September 29, 2023**. In her submission, Plaintiff must answer each of the questions that appear in the application. If Plaintiff fails to comply

with this order, the case may be dismissed for failure to prosecute pursuant to Eastern District of Michigan Local Rule 41.2.

IT IS SO ORDERED.

Dated: September 8, 2023
Ann Arbor, Michigan

s/Judith E. Levy
JUDITH E. LEVY
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or first-class U.S. mail addresses disclosed on the Notice of Electronic Filing on September 8, 2023.

s/William Barkholz
WILLIAM BARKHOLZ
Case Manager